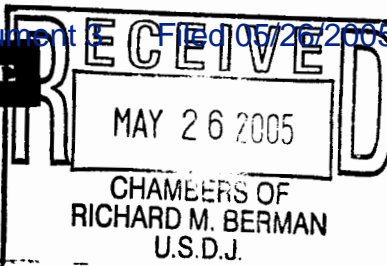


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Baker & McKenzie LLP  
805 Third Avenue  
New York, New York 10022, USA

Tel: +1 212 751 5700  
Fax: +1 212 759 9133  
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MEMO ENDORSED

May 26, 2005

Hon. Richard M. Berman  
United States District Judge  
United States Courthouse  
40 Centre Street, Room 201  
New York, New York 10007-1581

Grant Hanessian  
Tel: +1 212 891 3986  
Fax: +1 212 310 1686  
Grant.Hanessian@bakernet.com

By Facsimile 212 805 6717

RE: *Empresa Generadora de Electricidad ITABO, S.A. ("ITABO") v. Corporación Dominicana de Empresas Eléctricas Estatales ("CDEEE"),*  
No. 05 CV 5004 (HMB)

Dear Judge Berman:

We represent plaintiff ITABO in the above matter.

We write, further to the Order to Show Cause in this matter signed by Your Honor at 12 p.m. today (the "Order"), to advise the Court that we have been unable to effect service of the Order and supporting papers upon counsel for defendant CDEEE today by 4 p.m., as required by the Order. We are not aware that CDEEE is represented by New York counsel. ITABO's General Counsel, Gisele Marie Leger, has communicated by telephone with CDEEE's General Counsel, Henry Merán, in the Dominican Republic. Mr. Merán advised Ms. Leger that CDEEE will not accept service as today is a public holiday in the Dominican Republic. Ms. Leger advises me that ITABO will not be able to effect service on CDEEE until tomorrow, May 27.

In light of this fact, we respectfully request that the Court modify the Order to permit ITABO to serve the Order and supporting papers by 12 p.m. tomorrow, May 27, and that the Court adjourn the conference scheduled to take place on May 27 at 10:45 a.m. to Tuesday, May 31, 2005.

Respectfully submitted,

Grant Hanessian

cc: Corporacion Dominicana De Empresas Electricas Estatales

SO ORDERED:

Date: 5/26/05

*Richard M. Berman*  
Richard M. Berman, U.S.D.J.

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